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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 10/755,427   | 01/12/2004  | Lee Bolduc           | 203-2626 DIV CON VIII<br>(24) | 9695             |
| 7590 08/11/2008  |             |                      |                               |                  |
| Mark Farber, Esq.<br>U.S. Surgical,<br>A Division of Tyco Healthcare Group, LP<br>150 Glover Avenue<br>Norwalk, CT 06856 |             |                      |                               |                  |
| EXAMINER   |             |                      |                               |                  |
| YABUT, DIANE D   |             |                      |                               |                  |
| ART UNIT   |             | PAPER NUMBER         |                               |                  |
| 3734   |             |                      |                               |                  |
| MAIL DATE  |             | DELIVERY MODE        |                               |                  |
| 08/11/2008   |             | PAPER                |                               |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Interview Summary

**Application No.**

10/755,427

**Applicant(s)**

BOLDUC ET AL.

**Examiner**

DIANE YABUT

**Art Unit**

3734

All participants (applicant, applicant's representative, PTO personnel):

(1) DIANE YABUT.(3) ROBERTO COLON.(2) DANA BRUSSEL.

(4) \_\_\_\_.

Date of Interview: 06 August 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 1 and 19.

Identification of prior art discussed: McPherson 5,437,266.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant suggests claim amendments to further distinguish the present invention from the prior art including the actuator rotating and translating the fastener relative to the outer tube while the rotator remains longitudinally stationary with respect to the outer tube, which appears to read over the device of McPherson. Further consideration and search is required in light of the amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Diane Yabut/

Examiner, Art Unit 3734

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.